

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**Date of filing in State Engineer's Office OCT 25 1993 NEW PRIORITY DATE:
JAN 30 2008

Returned to applicant for correction.....

Corrected application filed..... Map filed JUL 08 1993 under 58985-EThe applicant Cortez Gold MinesStar Route, HC 66-50 of Beowawe
Street and No. or P.O. Box No. City or TownNevada 89821-9708 hereby make S application for permission to change the
State and Zip Code No.point of diversion, place of use and manner of use of a portion
Point of diversion, manner of use, and/or place of useof water heretofore appropriated under Permit #24664 (Cert. #7293)
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and
identify right in Decree.

1. The source of water is underground
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 0.69 c.f.s. (310 gallons per minute)
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for pollution control-mining, as defined in N.R.S. 533.437
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for mining, milling and domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 24, T.27N., R.47E.,
Describe as being within a 40-acre subdivision of public survey and by course and
MDM, unsurveyed, from which the SE corner of Sec. 18, T.27N., R.48E., bears N.
distance to a section corner. If on unsurveyed land, it should be stated.
81° 46' E., 5,734 ft. dist.
6. The existing permitted point of diversion is located within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 24, T.27N., R.47E.,
If point of diversion is not changed, do not answer.
MDM, (unsurveyed) MDM, from which the W $\frac{1}{4}$ sec. corner of Sec. 18, T.27N., R.48E.,
bears N. 7° 52' 16" E., 4,600.34 ft. dist.
7. Proposed place of use Unsurveyed Sections 12, 13 and 24, T.27N., R.47E., and Sections
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
7, 18 and 19, T.27N., R.48E., MDM.
8. Existing place of use Portions of unsurveyed Sections 13, 24 and 25, T.27N., R.47E.,
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
and Sections 18, 19 and 30, T.27N., R.48E., MDM.
manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day
10. Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) drilled and cased well, turbine pump;
discharge to portable treatment plant for removal of hydrocarbon products, reinjection of a portion of treated water,
utilization of remaining amount in mill circuit.
State manner in which water is to be diverted, i.e. diversion structure,
ditches, pipes and flumes, or drilled well, etc.
12. Estimated cost of works estimate \$50,000.00
13. Estimated time required to construct works two months

14. Estimated time required to complete the application of water to beneficial use of N.D.E.P. order/permit... ten years, or until expiration

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use: This well will be used to pump contaminated water from an identified plume and delivery to a portable treatment plant for removal of hydrocarbon components and related pollutants, in compliance with N.D.E.P. order. It has been determined that the desired cone of depression is created with a continuous pumping rate of 500 g.p.m. for the life of the pollution control project. *Note that certificate #7293 incorrectly states Sec. 14 is within the place of use, instead of Sec. 24, T.27N., R.47E. Please send copies of notices and correspondence to undersigned agent. *Following completion of environmental remediation project, use of water will be for mining and milling.

By s/William A. Nisbet
421 Court St.
Elko, Nevada 89801

Compared bc/bc ab/vw

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 24664, Certificate 7293 is issued subject to the terms and conditions imposed in said Permit 24664, Certificate 7293 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 24663, Certificate 7292; 24664, Certificate 7293; 46224, Certificate 12482; 46225, Certificate 12483; 57797, 58187-E, 58188-E, 58189-E, 58190-E, 58191-E, 58192-E, 58985-E, 59339 and 59340 shall not exceed 1035.4 acre-feet annually.

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.69 cubic feet per second, but not to exceed 499.5 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before November 16, 1995

Proof of completion of work shall be filed before December 16, 1995

Application of water to beneficial use shall be made on or before November 16, 1996

Proof of the application of water to beneficial use shall be filed on or before December 16, 1996

Map in support of proof of beneficial use shall be filed on or before N/A

JAN 05 1996

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No. Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 11th day of March

A.D. 19 94

R. Michael Turnipseed, P.E.
State Engineer

CANCELLED FEB 01 2008 BECAUSE OF
FAILURE OF APPLICANT TO COMPLY WITH THE
PROVISIONS OF PERMIT

John T. ... STATE ENGINEER
(01-1108 (Rev. 6-81))

(PERMIT TERMS CONTINUED)

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.